

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	06-00391-01-CR-W-FJG
ALPHONZO HENDERSON,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on April 11, 2007. Defendant Alphonzo Henderson appeared in person and with Assistant Federal Public Defender Anita Burns. The United States of America appeared by Assistant United States Attorney Stefan Hughes.

I. BACKGROUND

On November 2, 2006, an indictment was returned charging defendant with possessing a firearm after having been convicted of a felony, in violation of 18 U.S.C. §§ 922(g)(1) and 924(e)(1).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Hughes announced that he will be the trial counsel for the government. The case agent to be seated at counsel table Special Agent Dan Cassidy, ATF.

Ms. Burns announced that she will be the trial counsel for defendant Alphonzo Henderson. Ron Ninemire will assist.

III. OUTSTANDING MOTIONS

There is currently pending for ruling by the district judge a motion in limine filed by defendant on March 9, 2007 (document number 35).

IV. TRIAL WITNESSES

Mr. Hughes announced that the government intends to call thirteen witnesses without stipulations or twelve witnesses with stipulations during the trial.

Ms. Burns announced that defendant Alphonzo Henderson intends to call two witnesses during the trial. The defendant may testify.

V. TRIAL EXHIBITS

Mr. Hughes announced that the government will offer approximately seventeen exhibits in evidence during the trial.

Ms. Burns announced that defendant Alphonzo Henderson will offer approximately three exhibits in evidence during the trial.

VI. DEFENSES

Ms. Burns announced that defendant Alphonzo Henderson will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Ms. Burns stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are likely as to the prior felony conviction.

IX. TRIAL TIME

Counsel were in agreement that this case will take 1 ½ to 2 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed December 14, 2006, counsel for each party file and serve a **list of exhibits** he or she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by **April 11, 2007**;

That counsel for each party file and serve requested jury **voir dire** examination questions by or before noon, Wednesday, **April 18, 2007**;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested **jury instructions** by or before noon, Wednesday, **April 18, 2007**. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on April 23, 2007.

/s/ Robert E. Larsen

ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
April 11, 2007

cc: The Honorable Fernando Gaitan, Jr.
Mr. Stefan Hughes
Ms. Anita Burns
Mr. Jeff Burkholder